IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

BRIAN WARD, PRO SE, TDCJ-CID No. 1426930, Previous TDCJ-CID No. 1057527,	§ § §	
Plaintiff,	§ § 8	
v.	\$ § §	2:10-CV-0221
ROBERT TAYLOR, Chief of the Amarillo Police Department,	§ §	
CAROLINE WOODBURN, District Clerk, RANDALL C. SIMS,	§ §	
Amarillo District Attorneys Office, Warden NFN SLOAN, and	\$ \$	
C. WADE OVERSTREET,	§ §	
Defendants.	§ §	

ORDER REVOKING PAUPER STATUS AND ORDER OF DISMISSAL

Plaintiff BRIAN WARD, acting *pro se* and while a prisoner confined in the Texas

Department of Criminal Justice, Correctional Institutions Division, has filed suit pursuant to

Title 42, United States Code, Section 1983 complaining against the above-referenced defendants and requesting permission to proceed *in forma pauperis*.

On December 13, 2010, a Report and Recommendation was filed by the United States Magistrate Judge analyzing plaintiff's claims under Title 28, United States Code, section 1915(g), and recommending plaintiff's plaintiff's pauper status be REVOKED and that the instant cause be dismissed for failure to pay the requisite filing fee.

Plaintiff was instructed that, if he elected to pay the filing fee, he could utilize the period for objections in which to do so.

The response period has expired, and no objections have been filed by plaintiff nor has the filing fee been paid.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS ORDERED:

- Plaintiff's pauper status is REVOKED. 1.
- 2. The instant cause is DISMISSED WITHOUT PREJUDICE TO REFILING WITH PREPAYMENT OF THE FILING FEE. 28 U.S.C. § 1915(g).

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk will mail a copy of this Order to the plaintiff, and to any attorney of record by first class mail.

All pending motions are DENIED.

IT IS SO ORDERED.

ENTERED this ______ day of January, 2011.

UNITED STATES DISTRICT JUDGE